

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Samuel Gaygbou Zean,

Case No. 17-cv-5117 (WMW/KMM)

Plaintiff,

**ORDER OF DISMISSAL FOR
FAILURE TO PROSECUTE**

v.

Comcast Broadband Security, LLC, et al.,

Defendants.

Pursuant to Rule 41(b), Fed. R. Civ. P., and a district court’s inherent authority, “when circumstances make such action appropriate, a District Court may dismiss a complaint for failure to prosecute even without affording notice of its intention to do so or providing an adversary hearing before acting.” *Link v. Wabash R.R. Co.*, 370 U.S. 626, 630–33 (1962) (recognizing that “[t]he authority of a court to dismiss sua sponte for lack of prosecution has generally been considered an inherent power, governed not by rule or statute but by the control necessarily vested in courts to manage their own affairs so as to achieve the orderly and expeditious disposition of cases”). An involuntary dismissal under Rule 41(b), except in limited circumstances not presented here, “operates as an adjudication on the merits.” Fed. R. Civ. P. 41(b).

Plaintiff Samuel Gaygbou Zean commenced this lawsuit in November 2017, and he has filed nothing in this case since the Court denied his motions to vacate an arbitration award on December 17, 2019. Indeed, Zean’s last filing in this case occurred on September 27, 2019. Accordingly, dismissal for failure to prosecute is warranted.

ORDER

Based on the foregoing analysis and all the files, records and proceedings herein,
IT IS HEREBY ORDERED that this action is **DISMISSED WITH PREJUDICE** for
failure to prosecute.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: February 2, 2021

s/Wilhelmina M. Wright
Wilhelmina M. Wright
United States District Judge